

1 WILDE & ASSOCIATES
2 Gregory L. Wilde, Esq.
3 Nevada Bar No. 004417
4 208 South Jones Boulevard
5 Las Vegas, Nevada 89107
6 Telephone: 702 258-8200
7 bk@widelaw.com
8 Fax: 702 258-8787

Electronically Filed on _____

6 MARK S. BOSCO, ESQ.
7 Arizona Bar No. 010167
8 TIFFANY & BOSCO, P.A.
9 2525 East Camelback Road, Suite 300
Phoenix, Arizona 85016
Telephone: (602) 255-6000
Attorney for Secured Creditor

10 Wells Fargo Bank, NA dba Americas Servicing Company successor by merger to Wells Fargo Home
11 Mortgage, Inc.

12 09-72638

13 UNITED STATES BANKRUPTCY COURT
14 DISTRICT OF NEVADA

In re:	BK08-14829-bam
	Chapter 13
Heather M. Puglisi	NOTICE OF ENTRY OF ORDER VACATING AUTOMATIC STAY
Debtor.	HEARING DATE: 6/2/09 HEARING TIME: 1:30pm

20 PLEASE TAKE NOTICE that on the 24TH day of July, 2009, ORDER VACATING
21 AUTOMATIC STAY was entered by the court. Copy of said order is attached herewith.

22 DATED: 8/4/09

WILDE & ASSOCIATES

23 By G. Wilde #10235
24 GREGORY L. WILDE, ESQ.
25 Attorney for Secured Creditor
26 208 South Jones Boulevard
Las Vegas, Nevada 89107

Case 08-14829-bam Doc 46 Entered 07/24/09 16:05:06 Page 1 of 4



Entered on Docket
July 24, 2009

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

1 WILDE & ASSOCIATES
2 Gregory L. Wilde, Esq.
3 Nevada Bar No. 104417
4 208 South Jones Boulevard
5 Las Vegas, Nevada 89107
6 Telephone: 702 258-8200
7 Fax: 702 258-8787

8 Wells Fargo Bank, NA dba American Servicing Company successor by merger to Wells Fargo Home
9 Mortgage, Inc.

10 09-72638 / 1205155016

11 **UNITED STATES BANKRUPTCY COURT**
12 **DISTRICT OF NEVADA**

13 In Re:

14 Heather M. Puglisi

15 Debtors.

16 BK-S-08-14829-bam

17 MS Motion No.

18 Date:

19 Time:

20 Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-petition arrearages currently due as follows:

3 Late Charges at \$33.29 each (March 16, 2009-May 16, 2009)	\$ 99.87
Motion Filing Fee	\$ 150.00
Attorneys Fees	\$ 750.00
Less post petition suspense	<u>(\$ 328.94)</u>
	\$ 670.93

The above arrearage shall be paid in six (6) monthly installments of \$111.82. These payments shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the July 20, 2009 payment and continuing throughout and concluding on or before December 20, 2009.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the July 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 9303 Gilcrease Avenue 1194, Las Vegas, NV 89149, and legally described as follows:

PARCEL ONE (1)
AN UNDIVIDED 1172 INTEREST AS TENANT IN COMMON IN AND TO THE FINAL MAP OF AVENTINE/BARADA UNIT 2B, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 113 OF PLATS, PAGE 11, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

EXCLUDING THEREFROM THE FOLLOWING, ALL UNITS IN ALL RESIDENTIAL BUILDINGS AND DESIGNATED EXCLUSIVE USE EASEMENTS AS SHOWN ON THE CONDOMINIUM PLAT REFERRED TO ABOVE.

If it is fluoritiferous or sideriferous, it will tend to accumulate where sedimentary rocks are present on the surface up to a certain depth and deposit a layer of iron pyrite. This may be followed by a layer of magnetite and then a layer of hematite. The thickness of these layers depends upon the amount of iron available and the rate at which it is deposited.

PART CEL: FOUR (4); A NON-EXCLUSIVE EASIMENT OF ACCESS, INGRESS, EGRESS, USE AND EMPLOYMENT OF THE PROPERTY IN, TO AND OVER THE COMMON ELEMENTS OF THE FINAL MAP OF A VENITIAN BARBARA UNIT 2B, ON FILE IN BOOK 113 OF PLATS, PAGE 11, IN THE OFFICE OF CLARK COUNTY, NEVADA, AND FUTURE UNITS, WHICH IS APPURTENANT TO PARCEL ONE (1) AND TWO (2) DESCRIBED ABOVE.

PARCEL ONE (1) TRACTE 39
PARCEL ONE (1) EXCLUSIVELY FOR USE, POSSESSION AND OCCUPANCY OF THESE PORTIONS OF
THE ESTATE EXCLUSIVELY FOR USE, POSSESSION AND OCCUPANCY OF THE LAND
CONDOMINIUM SUBDIVISION REFERRED TO ABOVE, WHICH RIGHT IS APPURTENANT TO
PARCEL ONE (1) DISCIRIBED ABOVE AS LIMITLESS OWNERS ELEMENTS OF THE
PARCEL ONE (1) DISCIRIBED ABOVE AS LIMITLESS OWNERS ELEMENTS OF THE
PARCEL ONE (1) AND TWO (2) ADJOINING DISCIRIBED.

MAP OF A CERTAIN/SEPARADA UNIT 2B AS SHOWN BY MAP THIRTY-THREE ON FILE IN BOOK 113 PARCELS 11, 12 AND 13 IN BULLIDING UNIT 114 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

FUTURE AS DEFINED AND SHOWN UPON THE COMMON PLOT REFERRED TO ABOVE,
WHEREAS DEFENDANT, HGRASS AND HOLLOWAY, ASSOCIATES IN, TO AND OVER THE COMMON
AND BURTIE RISERVING FOR THE REVENGE OF OWNERS IN
FOR INGRESSES, HGRASS AND HOLLOWAY, ASSOCIATES IN, TO AND OVER THE COMMON
ARTICLES, BY SET FORTH IN THE DECLARATION OF OWNERS AND
REESTRUCTURE AND RESERVATION OF EASIMENTS FOR AVANTINI; TRAMONTI
HOMEOWNERS ASSOCIATION RECORDS OCTOBER 28, 2003 IN BOOK 20031028 AS
DOCUMENT NO. 00649, AS THE SAME MAY FROM TIME TO TIME BE AMENDED AND/OR
SUPPLEMENTED OR OTHERWISE MODIFIED FROM TIME TO TIME; THE COMMON AREA IS
RESERVED AS EASIVE USE EASIMENTS.

RESERVING THE RIGHT TO POSSUMISSION OF ALL THOSE AREAS
DESIGNED AS EXCUSIVE USE EASIMENTS SHOWN UPON THE
PLAT IF REFERRED TO ABOVE.

subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By

GREGORY L. WILDE, ESQ.
Attorneys for Secured Creditor
208 South Jones Boulevard
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

Rick A. Yarnall

By *MCatt* 7-7-09

Rick A. Yarnall
Chapter 13 Trustee
701 Bridger Avenue #820
Las Vegas, NV 89101

Frank J. Sorrentino

By *Frank J. Sorrentino*

Frank J. Sorrentino
Attorney for Debtors
1118 E. Carson Ave.
Las Vegas, NV 89101

Nevada Bar No. 910570

1 WILDE & ASSOCIATES
2 Gregory L. Wilde, Esq.
3 Nevada Bar No. 004417
4 208 South Jones Boulevard
5 Las Vegas, Nevada 89107
6 Telephone: 702 258-8200
7 Fax: 702 258-8787

8 MARK S. BOSCO, ESQ.
9 Arizona Bar No. 010167
10 TIFFANY & BOSCO, P.A.
11 2525 East Camelback Road, Suite 300
12 Phoenix, Arizona 85016
13 Telephone: (602) 255-6000

14 Wells Fargo Bank, NA dba Americas Servicing Company successor by merger to Wells Fargo Home
15 Mortgage, Inc.

16 09-72638

17 **UNITED STATES BANKRUPTCY COURT**
18 **DISTRICT OF NEVADA**

19 In Re:

BK-S-08-14829-bam

20 Heather M. Puglisi

Date: 6/2/09
Time: 1:30pm

21 Debtor.

22 Chapter 13

23 **CERTIFICATE OF SERVICE**

- 24 1. On 8/17/09 I served the following documents(s):

25 NOTICE OF ENTRY OF ORDER VACATING AUTOMATIC STAY

- 26 2. I served the above-named document(s) by the following means to the persons as listed below:

X a. ECF System

Frank J. Sorrentino
carson@franksorrentino.com
Attorney for Debtor

1 Rick A. Yarnall
2 ecfmail@lasvegas13.com
3 Trustee

4

5 **X b. United States mail, postage fully prepaid:**

6

7 Frank J. Sorrentino
8 1118 E. Carson Ave.
9 Las Vegas, NV 89101
10 Attorney for Debtor

11

12 Heather M. Puglisi
13 9303 Gilcrease Avenue
14 1194
15 Las Vegas, NV 89149
16 Debtors

17

18 Jeremy T. Bergstrom, Esq.
19 MILES, BAUER, BERGSTROM & WINTERS, LLP
20 Attn: Managing Agent
21 2200 Paseo Verde Pkwy., Suite 250
22 Henderson, NV 89052
23 "Via Certified Mail"

24

25 Aventine-Tramonti HOA
26 c/o US Bank
Attn: Managing Agent
PO Box 500377
San Diego, CA 92150-0377

27

28 Nevada Association Services, Inc.
29 Attn: Managing Agent
30 6224 W. Desert Inn Rd., Ste. A
31 Las Vegas, NV 89146

32

33 **c. Personal Service**

34 I personally delivered the document(s) to the persons at these addresses:

35

36 1. For a party represented by an attorney, delivery was made by handing the
37 document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge by
38 leaving the document(s) in a conspicuous place in the office.

2. For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

d. By direct mail

Based upon the written assignment of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

e. By fax transmission

Based upon the written assignment of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

f. By messenger

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Signed on : 8/11/09

m